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## MARRIAGE AND SOCIAL CONTROL

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The Nineteenth Century was ushered in with trumpet-calls to self-assertion and social freedom. A vague but long-cherished hope of the elect of humanity that the masses, each and all, might yet become persons, crystallized during the eighteenth century into a popular assertion of "equality of rights" in the body politic as "the first of rights" and essential to the process of universal individuation. Thus was born the democratic State. The Church in Christian civilization had long before recognized the independent personality of all, even of slaves and of women, in its spiritual Magna Charta, which secured to every human being the right to own his own soul and laid upon each the burden of saving it. The Protestant Reformation added to this the duty of understanding "the plan of salvation," and hence reinforced, and in many instances initiated, the demand of the State for an intelligent electorate. Thus Church and State worked together to call into being the free, tax-supported school, and to make compulsory some minimum of formal education. The democratic State and the democratic school have worked together to create slowly legalized freedom of association for manual laborers. Labor reform organizations, springing up at once as soon as legal restrictions upon such associations were removed, have initiated the collective struggle for common industrial betterment. Of the five basic institutions of society, therefore—the family, the Church, the State, the school, and the industrial order—four are already well on their way toward thorough-going democratization. It is necessary to remind

ourselves of these familiar facts in order to escape the common error of treating some one institution of society as a detached social structure, the problems concerning which are to be solved independently of other human relationship. The first, the most vital, the most intimate, and the most universal of social institutions, that of marriage and the family, has longest resisted re-adjustment to the new ethics involved in the now accepted principle of equality of human rights.

This was natural, since conservatism toughens in fibre in proportion to the sentiment involved in the preservation of an inherited social mechanism, and the word "home" symbolizes the acme of sentiment. Long after the Church had emancipated women from the family bond of ethnic faiths and had taught them to approach the altar singly and alone, it gave its sanction to laws and customs which deprived women of all control of their persons or estates and hence reinforced the aristocratic order of the family. Long after the State had written its bills of rights to secure government of the people, by the people, and for the people, its political systems ignored women as people; and its statutes gave the married woman no more contract power than her minor child possessed, and hence incapacitated her for legal guardianship of that minor child; and denied her right to choose her own residence or national allegiance, or to secure redress for any form of oppression by her husband short of personal violence or extreme deprivation of food or shelter, proved dangerous to life. Hence the democratic State for generations buttressed the autocracy of the ancient family order. Long after the democratic school offered to all boys the chance to know and to do to the uttermost, girls were not counted as among those whose trained intelligence was a necessity to the State. Hence not until the middle of the nineteenth century did human beings of the mother-sex share the

advantages of that education which is the basis of the larger life.

At last, rising to popular view on the crest of a wave of passionate protest against African slavery in the United States, what was at first called the "Woman's Rights Movement" was born. Not until such a movement was definitely initiated could the family order respond radically to the world currents of democratic influence. It was inevitable that such a movement should at last appear. The Church had begun to affirm with Emerson: "Every soul has private access to the Divine." The State had already declared, as President Wilson once phrased it, that "human quality is the basis of political equality." The school had announced in the words of Channing: "Every soul is sacred, and therefore every child has a right to the best development society can afford." The industrial order was beginning to thunder with Carlyle: "Work is great, and there is no other greatness, and Labor must yet ascend its throne." It could not be otherwise than that women should at last apply to themselves and to their own condition the ideals thus made conscious and determinate throughout the social structure.

What is now called the Feminist Movement has naturally specialized in several lines of struggle and endeavor. One section has been busy with echoing the eighteenth century claim to political rights, and a lively contingent of its propagandists is still at work on that belated task, which should long ago have been accomplished and taken out of the way of even more vital concerns. Another section, seeking higher education and professional and business training and practice, has been obliged to segregate itself sharply for this achievement of personal power. This section of the Feminist Movement has been largely recruited from, and is now most efficiently sustained by, an increasing

class of unmarried women who can meet men on their own ground of specialized vocational work in the most effective and uninterrupted manner. Still another, by far the largest and the most socially important section, has been at work with the best and wisest men to make over family and social life, bit by bit, in its legal, ethical, and domestic aspects, in the interest of "two heads in counsel, two beside the hearth, and two in the tangled business of the world." The industrial order has, however, contributed an unsought and unexpected but stupendous acceleration of the movement toward the individuation of women. The invention of power-driven machinery, with its subsequent transformation of domestic industry into the factory system, has obviously and greatly changed the life of working-men, but it has completely revolutionized the life and work of women. Schiller says: "While philosophers are disputing about the government of the world, Hunger and Love are performing the task." In the same manner, while new ethics have been pressing toward the conscious readjustment of the family along the lines of democratic tendency already established in the other basic institutions of society, the old economic need and the new economic system have conspired to change rudely and completely that environmental pressure by which all human relationships are most radically affected. The social requirement that girls and women should labor at useful employment between the days of their schooling, whether those days be long or short, and the days of their marriage, is as old as peaceful industry itself. Except for an almost negligible minority of the privileged classes, unmarried girls and married women have never been allowed to "idle." They have had less time for recreation allowed them than boys and men have secured for themselves. They have never had a chance to go a-fishing in house-cleaning time nor to limit their labor

to an eight-hour day. Moreover, their work-capacity has always been counted as a part of the family treasury. The economic value of the unmarried girl and woman has been recognized through the ages as an asset of the family into which she was born, and has been legally attested by the price paid in service or in money by would-be husbands to fathers, who would lose the labor of daughters on their marriage and should therefore receive just compensation for the loss. And when, in some new tenderness of fatherly solicitude, or some dawning recognition of the daughter's right to personal recompense for her labor, the marriage price became the "dowry," secured to the wife in principal if not in income for her economic protection in the case of the death of the husband, this dowry still recorded a clear understanding of the work-value of the unmarried girl and the married woman to the family economy. This ancient dedication of womanhood to constant labor has today taken on change for the mass of average life in but four particulars, namely: girls and women now leave the home for the factory and the shop in order to secure the same work they used to do in the household; they do a specialized section of the task instead, as of old, of undertaking complete processes of labor; they receive through this highly specialized labor of modern industry a training away from rather than, as of old, directly towards the manifold activities of the house-mother's task; and they receive a definite wage for their work outside the home instead of being paid within the family, as of old, by a share in household provision. These are weighty differences, and they each and all affect the conditions of marriage and the family as no previous economic experience of the race has done.

Without some understanding of the political, educational, and economic elements which enter into the instability of the modern family, the true significance of

the problems of marriage and divorce cannot be discerned. Well-known facts prove that this instability of the modern family is serious in extent and has in it grave social dangers, and shows deplorable effects especially in relation to child-life. So true is this that many churchmen and many ethical teachers are seriously alarmed and, even at times, moved to the pessimistic belief that the foundations of social order are breaking up and the family is in process of destruction. In no attempted analysis of social change, however, is evidenced more dense ignorance of what is really happening in institutional structure; and in none is the cowardice and dogmatism of the ultra-conservative more clearly shown. What is really happening in the family is that women have become too free and too strong longer to accept bad conditions which once their weakness and ignorance forced them to endure. What is really happening is that men themselves are not longer content, as of old they were, to have one sex-relationship for upper-servant help in the household and another for enjoyment outside the home, but demand in one chosen wife an honorable and equal comradeship in mutual work and in common pleasures. What is really happening is that the marriage ideal is becoming more and more exacting in the consciousness of both men and women; and that more and more freedom of choice, both in taking on and in giving up marriage ties, is operating to forbid content with less than the most satisfying relationship between men and women. What is really happening is that the best interests of children are understood as never before, and that those best interests are now seen to demand not merely the outward form but the inner substance of a united and a loving parenthood. The tragedy of a ruined home is no longer expressed solely in terms of separation of the married pair; the mistake and failure are now seen to be themselves the tragedy,

whether or not separation occur to publish the fact. Nay more, what is really happening is that the idea of "eternal punishment" for mistakes and failures, as respects both this life and the next, is passing out of the human mind, and men and women will not longer consent to sit forever among the ashes of desolation if life seems to offer the chance to recover from such mistake and failure in a new and happier venture. It is these realities of changed and changing ideals of life that are at work to make divorce possible, and re-marriage of divorced persons no longer, in and of itself, a cause for moral condemnation. In the face of these realities of changed and changing ideals it is as futile as it is childish for church synods and convocations—composed, be it noted, exclusively of men—to ordain a return to the older type of family autonomy. The fact that men as well as women are seeking legal release from hated marriage bonds, and often, as well, the readjustment of family relations in a new effort toward domestic satisfaction, is not, as many suppose, significant of man's ethical back-sliding but rather of his moral advance. For, be it remembered, men have always found ways to relieve themselves from domestic companionship proved obnoxious or even tiresome; often by legal repudiation of their wives, when wives had no escape from unhappy marriage conditions; but oftenest, by illicit sex-relationship while preserving the outward semblance of family unity. The statistics of illegitimate births, and the known prevalence of marital infidelity among men, in those countries which allow no legal divorce, furnish unimpeachable testimony to an element of moral progress in the ideal generally held by men of today, that sex-relationship is limited in honor to legal marriage even if the legal bond be made more flexible thereby. The majority of applications for divorce and of legal separation are, however, made to our courts by women, and this is the most significant fact in the



problems affecting the stability of the modern family. It proves beyond question that the relations of the sexes in marriage must undergo profound changes in order to fit the family structure to the new democratic order of society. It gives this conclusive proof of needed change because it shows that the innermost centre of social relationship is responding consciously to the ethics of equality of rights. Political democracy has taught women to feel themselves of too much worth as human beings to be appraised wholly by sex-relationship, and has therefore made them unwilling to "obey" a husband any more than a king. They have begun to interpret constitutions and bills of rights as giving them an inalienable right to choose for themselves in marriage and to escape from intolerable, even from disappointing, results of a wrong choice. This sense of an inalienable right once engendered cannot be destroyed by inherited church doctrines or conventional ethics. Its most positive expression is shown where women refuse to endure enforced union with vicious men whose touch is contagion and whose heritage to their children is disease and misery. In a world newly awakened to the prevalence of diseases due to vice, and newly made aware of the dire consequences of these diseases in respect to marriage, family life, and the welfare of offspring, dare any enlightened person oppose or regret this revolt of women against the invasion of the home by the worst of social evils? This revolt is only a reassertion of woman's ancient right and duty of sex-discrimination in the interest of race preservation. It is a vicarious sacrifice offered to secure strength and purity in the blood of the nation. It is high time that so much of eugenic wisdom as is represented by the breaking of marriage ties so mistakenly assumed, for causes of mental defectiveness, degenerative diseases, and moral insanity, in either party to the union, should be socially approved and not condemned.

The influence of the school, now opened freely to girls from kindergarten to university, gives an added and quite different tendency, both in entering, in refusing to enter, and in leaving the marriage bond. Educated women have become conscious of personal tastes, capacities, and ambitions, which make many unwilling to "give all for love." This leads to some nice calculations of give and take on the "souls' Rialto," whose "merchandise" creates difficult transactions for any but the intellectual and moral élite. Men find it difficult to realize that household arts and domestic tastes do not come, like Dogberry's "reading and writing, by nature," to all women. Pride in a gifted wife's achievement in some special line is often quite consistent in their minds with demands upon her for equal facility in the all-round usefulness of the old-fashioned housewife. At best, the circumstances of ordinary family life make necessary sharp and often painful decisions between the special taste and capacity of a wife and mother and the general demands of family well-being. If those demands are tempered by understanding, on the part of all concerned, that her personal development has some claim upon the family indulgence as well as the family large claim upon her time and strength, all will go well, and the difficulties may but perfect the moral discipline of the domestic order in the higher grades of social life. If, on the contrary, all concerned look upon the service of the woman-head of the family as rightfully shared with everyone but her own personality, there must be trouble. It is impossible to send girls to schools in which specialized achievement is the motive power and guiding attraction, and not develop in them desires and qualities that demand play and opportunity within, as well as without, the family relationship; and that play and opportunity require a more flexible construction of woman's obligation to the family than most persons yet perceive.

Many men, however, surprisingly many for the short time they have had in which to acquire the graces of concession to equals in the marriage bond, have already adjusted themselves to household conditions of a quite new type. Yet the majority of men are still confused by, if not intolerant toward, the claim for re-adjustment of family life which higher education has made inevitable in the case of many women. Moreover, the masses of women have not yet ethically adjusted their own technique of living to the new principles of life. They often claim all that the old type of woman claimed even when specially privileged, while claiming at the same time all that the "new woman" can or should demand. Such take advantage of the full measure of freedom in work and in social opportunity which the new time has made possible, and yet may sue for "breach of promise" for disappointment in marriage, or claim support in idle luxury from hard-working husbands, and even demand "alimony" after selfish and hasty repudiation of marriage obligations. In spite, however, of some selfishness and of more shallow and inconsistent assertion of their new freedom, educated women have, for the most part, kept their poise during the transitional period and walk the dizzy heights of the bridge between the old and new conditions with admirable agility and still more admirable conscientiousness. With few exceptions the leading womanhood of our time, aided by the leading manhood, is bravely attacking and loyally achieving the difficult task of creating a new family order. Already the centres of higher education are themselves definitely engaging in the task of fitting into working efficiency the school and the feminine ideal in terms of mingled personal development and family service. In nearly one hundred and fifty institutions of higher learning in the United States, courses in household economics and home-making are already established,

courses in which the relation of the most highly-developed womanhood is directed toward both a finer and wiser service in the home and a broader civic house-keeping. Meanwhile, the most varied and ingenious experimentation is going on within the family in the higher intellectual and ethical areas, by which to demonstrate in terms of successful experience the possibility and social advantage of true democracy in the home.

It cannot be denied, however, that there are serious pathological conditions in the lower strata of the family life due to the maladjustment of the old economic need and the new economic system in the life and work of women. To train the average girl away from domestic arts in her school life and during her usually brief experience in a "gainful occupation," while leaving the demands upon the average house-mother so largely the same as in the past, is to make common wifehood and motherhood more difficult. To give such a girl the new and delightful experience of receiving a pay envelope into her own hand while, as is the case in many even of the poorer families, relieving her from responsibility for her share of the family expenditure, is to make the sacrifice of "pin-money" exacted by marriage distasteful to many. To give woman's work a definite market value while destroying much that used to give the home its economic standing in the world of industry, is to create a conscious antagonism between the condition of the earners and of the spenders among women, which leads to confusion of choice between personal desire and domestic duty. A well-known sociologist has said that many couples seek separation or divorce because "John, who earns ten dollars a week, has married Mary, who used to earn six dollars a week, and now they are trying to live on John's ten dollars alone and bring up a family of children besides." That makes John discouraged and Mary dissatisfied with her meagre share of the tiny in-

come, and may lead John to desert his family and force Mary to return to her earning and leave to philanthropy such burdens of child-care as Mary cannot assume. Sometimes, however, and increasingly is it true, Mary does not try to live on John's ten dollars but keeps on, after marriage, her own paid work outside the home. Then it happens often that children are not sought, or, coming, are not carefully nurtured, and thus the bond of common love for offspring, so far in the history of the race the strongest tie in marriage, loses its power. Or it often happens that John, aware of the dangers and privations of a "lowered standard of living," postpones marriage until he can secure better wages, and in the lonely bachelor days contracts habits which make him unsuccessful in family relationships. Or Mary is coolly prudent and fears to dare poverty with John and turns away from his love with a chilling effect upon his ambition and his idealism, which bodes ill for his future and the woman he may later marry. These economic difficulties are not limited to the range of ten dollar and six dollar a week incomes. They act and react upon the lives of those whose earning capacity is much larger and whose intelligence superior to the average. The economic difficulties inhering in modern marriage are not solved by any "paper plans" by which the entire work of women is to be made as highly specialized as that of men, so that home-making and motherhood shall interfere scarcely more with women's economic opportunities and achievements than with those of men. Most of these paper plans are made by exceptionally clever women whose own work has the relative freedom as to hours and conditions of all expressions of high-grade personality. They have no vital significance for the majority of women, who can earn money only subject to the exactions and the rigidities of man-made systems of labor. Nor have we as yet any data of en-

couragement toward diminishing to such a degree as is indicated by these paper plans, the demand upon the strength and time of the house-mother for that home-making which is the earliest socializing influence in human society. Nor is it women alone who pay a heavy price for the recompense of parental affection. The average man gives hostage to fortune with the birth of offspring, and must do what will give the family economic security rather than what will most please his own desire in labor. Neither fathers nor mothers are "economically independent," but both are bound with chains of service to their children's welfare.

One social fact, as yet hardly perceived by the general mind in its bearings upon family stability, presses for clearer statement and fuller application. This is the fact that the *laissez-faire* theory has been applied to all the basic institutions of society, including the family, in their first transition from aristocratic to democratic forms; and in all has proved itself socially incompetent. It was once thought that freedom in religion would liberate and give adequate expression to a universal passion for excellence. It is now understood that the freer the form of religious organization, the more vital the need for great personal leadership. It was once thought that freedom and class despotism would allow all men to rise immediately to political efficiency, and that when "fishers and choppers and ploughmen should constitute a state" it would be at once demonstrated that the voice of the people is the voice of God. We have learned by costly experience that public welfare demands in democracy, as in aristocracy, the rule of the best; and that the demos must learn to pick and choose its servant-leaders by far more ingenious political mechanism than despots require. It was once thought that to open the school-house door to the masses would guarantee intelligence and virtue in the common life.

We have learned that social control is imperatively needed to make education compulsory, to forbid the industrial exploitation of childhood, and to secure the right kind of training for all sorts and conditions of children. We once believed that if labor could have a fair field and no favor the clash of opposing interests would work out a balanced industrial order and would secure economic well-being to all. We have learned that social control must check the greed and cunning of the masterful, must protect the weaker and younger and less competent from exploitation, must secure the public against the evils of labor wars, and institute clever devices to democratize industry truly. In the same manner, in this latest application of democratic idealism to the institution of marriage and the family, we are learning that freedom and equality of rights are not enough to secure success in this vital relationship of life. Too much weight of unguided choice has been pressed upon ignorant and careless youth; too little safeguarding from the effects of moral weakness has been furnished the individualistic family; too dangerously optimistic trust to mere good intent has left undisciplined the average parent. We are gradually reintroducing in modern social forms the control and direction which the old patriarchal or collective family once applied to each married couple and their children. The modern state is beginning to forbid the mating of the unfit; it is beginning to prevent the breeding of defectives. The modern state is studying the great producing causes of race degeneracy and seeking to prevent them by abolishing pathological conditions in the family itself. The modern state is introducing Domestic Relations Courts, which are already realizing their aim to hold back the thoughtless and foolish, the selfish and wayward from premature and preventable separation and divorce; and these new Courts are already placing the child in the midst of all efforts for

family stability as the central object of care and protection. Not that these Courts always do or always will work to keep two people together who desire or think they desire to be free from marriage bonds; but where there are children, to whom the divorce of parents is always a tragedy even if that divorce may be necessary or right, these Courts, established in the interest of family rehabilitation, will not allow fathers and mothers to ignore the rights of their children. Sometimes the wise judge will see that the claim of the man or the woman or both to freedom, must in justice take precedence of all other considerations. Sometimes the wise judge will find the conditions of family life so abnormal that even for the sake of the children themselves the home should be broken up. The Domestic Relations Courts, however, have already shown that in the majority of cases an external conscience and an external wisdom may tide over difficulties and keep fathers and mothers and children together for a more earnest effort toward loyalty and faithfulness. Especially are these new agencies for the strengthening of the family bond stiffening to higher faithfulness the weak wills, and supporting to greater efficiency the feeble economic capacity, of "truant husbands." Manhood has had a much shorter discipline than womanhood in family devotion and child care; and hence, when the personal fibre is defective or undeveloped the modern individualistic family makes too heavy a claim upon the character and efficiency of husbands and fathers. Bewildered by the multiplicity of cares, realizing the new earning power of their wives and the accessibility of charitable relief, desertion seems easy for them, and not so craven an act or so cruel to wives and children as once it seemed. To put such men back in harness, and by probational discipline hold them to their assumed responsibility, is in itself an invaluable social service. The same Courts which thus hold hus-



bands and fathers, wives and mothers, to their tasks, will yet become the legal guardian of all children deprived of united parenthood by the breaking-up of a home, in order to secure to such unfortunate children the parental feeling of society-at-large, expressed through a chosen agency. The socially enlightened are coming to see that no power but the State can fitly and fully represent the public conscience and the common intelligence in granting permission to marry, in legalizing the bond, in determining its conditions and responsibilities, in giving emergency-help in its difficulties, in the application of social therapeutics to its curable diseases, or surgical treatment in its more serious disorders.

These are homely items of consideration, often ranked below the level of philosophic theory. The whole sociological approach by way of study of the common life to puzzling social problems seems to many too close to the noise and dust of the world's daily task. Today, however, religious idealism itself is becoming socialized; and not what glorifies saints, but what elevates the mass of mankind, is now most keenly desired. The science of human society, touched with this idealistic faith in the upreach and perfectability of common human life, is becoming the theology of a socialized religion. In the love and sacrifice of plain and unknown fathers who toil for their loved ones, in the patient endurance of simple-hearted mothers who give their lives in ready service, in the frolic joy and eager activity of ordinary children, in "these who make up the fabric of the world," is the fruit and promise of the human, in these the sure testimony and revelation of the divine. Yet is this fabric of the world shot over with golden patterns of prophetic beauty, woven by the tears and joy, the aspiration and the service of those who live today in the spirit of tomorrow. These are showing in a new way of life what marriage was meant to be. These are realizing the new

love between man and woman, already celestial in its demands of each upon the other for a perfect life to perfect that love. These are already showing the type and pattern of a new parenthood that calls children from the storehouse of the universal life, not in response to careless passion but in the solemn joy of creative purpose. These are already making clear and shining the pathway of that new comradeship of men and women which shall yet build from the heart's centre a righteous State, a wise school, a just industry, and a pure worship of the Ideal.